

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 16-18**

A RESOLUTION TO APPROVE AND AUTHORIZE AN AMENDMENT TO THE TERMS OF DURATION AND COMPENSATION OF AN EXISTING CONTRACT FOR LANDSCAPE SERVICES BETWEEN THE TOWN OF FOREST HEIGHTS AND PROCTOR LANDSCAPE MASONRY, LLC FOR WORK AT PUBLIC AREAS WITHIN THE TOWN

Introduced by: Habeeb-Ullah Muhammad, Mayor

WHEREAS, the Town Charter, § 33-63(a) requires that all purchases and contracts for the Town government shall be made by the Mayor and Council, and the Council may provide by ordinance for rules and regulations regarding the use of competitive bidding and contracts for all Town purchases and contracts; and

WHEREAS, approximately two years ago after publishing a request for proposals to multiple potential vendors, the Town obtained a proposal from the above-referenced company for landscape services (dated May 4, 2016 – See Exhibit 1) to provide certain landscape services at a total price of \$ 42,380.00, and the annual contract price in Year 1: \$ 23,450.00; and Year 2: \$ 18,930.00, and the Town was to pay under the Lawn Care and Maintenance Agreement (Exhibit 1) with said Contractor the annual cost for each year in equal monthly installments for each year after receiving Contractor's monthly invoice in accordance with the payment schedule contained in the Proposal; and

WHEREAS, the subject current contract is scheduled to terminate on April 30, 2018, with the option for renewal for two (2) additional two (2) year terms; however, the administration recommends that the contract be amended so that the extensions may be limited to two (2) additional one (1) year terms with an annual cost of \$ 18,930.00; and

WHEREAS, the Mayor and Council finds that Proctor Landscape and Masonry, LLC having a principal office at 14408 Old Mill Road in the Town of Upper Marlboro, Md. continues to be in good standing with the State; and

WHEREAS, the Mayor and Council has budgeted under line item 7243 (Street Maintenance) of the FY 2018 Budget funding in the total amount of \$18,930.00 for this Town property maintenance project.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Forest Heights, Maryland hereby authorize, and approve the contract amendment to be executed by the Mayor on behalf of the Town (known as "Amendment No. 1 to Lawn Care and Maintenance Agreement"), attached hereto and incorporated by reference herein as Exhibit 2, for the above-described landscape services proposal as further described in the Proposal for Landscape Services dated May 4, 2016, thereby purchasing services at a total cost of \$18,930.00 for each of the renewal periods of one year.

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AND BE IT FURTHER RESOLVED that the Mayor and Town Council of Town of Forest Heights, Maryland hereby authorizes and approves the Mayor on behalf of the Town to execute the described Amendment No. 1 to the contract and any other related instrument or document necessary to carry out the intent of this Resolution.

AND BE IT FURTHER RESOLVED that prior to signing said amendatory contract the vendor shall verify or provide proof of adequate automotive and liability insurance acceptable to the Town and further agree to extend or sign a liability waiver and hold harmless agreement with the Town;

AND BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED this 26 day of March 2018.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
MUHAMMAD	<u>Yea</u>
KENNEDY II	<u>Yea</u>
MCLAURIN	<u>Nay</u>
BARNES	<u>Yea</u>
HINES	<u>Yea</u>
WASHINGTON	<u>Yea</u>
BROWNSON	<u>ABSENT</u>

I HEREBY CERTIFY that the above Resolution No. 16-18 was passed by the required yea and nay vote of the Mayor and Council of Forest Heights on the 26 day of March 2018.

ATTEST:

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS

SIGNATURE ON FILE

Sherletta B. Hawkins, Town Clerk

SIGNATURE ON FILE

By:

Habeeb-Ullah Muhammad, Mayor

The Town of Forest Heights
Resolution 16-18

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By: SIGNATURE ON FILE
Jonathon Kennedy II, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 26 day of March 2018 with 5 Aye votes and 1 Nay, constituting at least a four (4) vote majority, the aforesaid Resolution 16-18 passed. Abstain 1

SIGNATURE ON FILE
Sherletta B. Hawkins, Town Clerk

EXHIBIT I (Contract or Agreement for Landscape Services between the Town and Proctor Landscaping and Masonry, LLC which includes (i) the Proposal dated 5/4/2016 & (ii) the Request for Proposals – (Exh. A of Proposal))

EXHIBIT 2 (Amendment No. 1 to Lawn Care and Maintenance Agreement)